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Elizabeth M. Hagood
Chairman
Edwin H. Cooper, III
Vice Chairman
Steven G. Kisner
Secretary



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

BOARD:
Henry C. Scott
Paul C. Aughtry, III
Glenn A. McCall
Coleman F. Buckhouse, MD

**Minutes of
S.C. Board of Health and Environmental Control
Meeting**

May 11, 2006

The S.C. Board of Health and Environmental Control met on Thursday, May 11, 2006, at 9:00 a.m. in Room 701, Rock Hill Health Department, 1070 Heckle Blvd., Rock Hill, South Carolina. (Attachment 0-1)

The following members were in attendance:

Elizabeth M. Hagood, Chairman
Member-at-large

Edwin H. Cooper, III, Vice-Chairman
Charleston, 1st District

Steven G. Kisner, Secretary
Aiken, 3rd District

Henry C. Scott
Allendale, 2nd District

Paul C. Aughtry
Greenville, 4th District

Glenn A. McCall
Rock Hill, 5th District

Coleman F. Buckhouse, MD
Florence, 6th District

Also in attendance were Commissioner Earl Hunter and guests. (Attachment 0-2)

Chairman Hagood stated notice of this meeting has been provided to all persons, organizations and news media which have requested notification, as required by section 30-4-80(e) of the South Carolina Code of Laws.

Ms. Hagood thanked Mr. McCall for hosting the meeting and Public Health Region 3 for providing the facility. Ms. Hagood allowed Ms. Lisa Longshore, Clerk, to recognize the

following staff for their assistance with the meeting logistics and set-up: Ms. Wendy Baker, Ms. Jennifer Vickery, Ms. Edith Whyte, Mr. Kyle Vickery and Mr. Thurmond Bonner.

Item 1: Consideration of March 9, 2006, meeting minutes - For Approval (Attachment 1-1)

Dr. Buckhouse moved, seconded by Mr. Cooper, to approve the minutes of the May 9 2006, meeting. Approved

Item 2: Monthly Award for Excellence – March and April 2006 (Attachment 2-1)

Commissioner Hunter recognized the following:

March 2006

Commissioner's Office – Doug Cooper;
Environmental Quality Control – Scott Hammett;
Health Regulations – Jeanette Singley;
Health Services – Christine Veschusio;
Region 1 Public Health District – Bobby Lee;
Region 2 Public Health District – Laurel Harrop;
Region 3 Public Health District – Wendy White;
Region 4 Public Health District – Family Planning STD Clinic/Pamela Rogers, Gwen Lirby;
Region 5 Public Health District – Sandra E. Johnson;
Region 6 Public Health District – Carolyn Jones;
Region 7 Public Health District – Charleston County Vital Records Dept./Lisa McIver, Kathy Roberts, Geneva Wise, Brenda Howard;
Region 8 Public Health District – Kay Lowell;
OCRM/Charleston – Shannon Hicks.

April 2006

Commissioner's Office – Bill Ficker;
Environmental Quality Control – Penny Shepard;
Health Services – Marian Edwards;
Region 1 Public Health District – Courtney Burton;
Region 2 Public Health District – Caroline Snow;
Region 3 Public Health District – Karol Rembert;
Region 4 Public Health District – Katie Norton;
Region 5 Public Health District – Computer Services/Andrew Rutland, Ann Edwards, Eugene McKie, Jamey Milligan, Rebecca Ripperdan, Stephen Bryant, Valarie Crosby;
Region 6 Public Health District – Julie Holmes;
Region 8 Public Health District – Jasper County Health Department Staff.

In addition to the Monthly Award for Excellence recipients, Commissioner Hunter recognized Mr. Kyle Vickery and Ms. Jennifer Vickery for 30+ years of service each with the Rock Hill Health Department. The Vickerys are retiring on May 31. The Board wishes them the best.

Item 3: Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation (February 1, 2006, through March 31, 2006) (Attachment 3-1)

Mr. Dennis Gibbs, Health Regulations, stated thirteen (13) orders had been issued with penalties of \$90,039.

The Board accepted this item as information.

Item 4: Administrative and Consent Orders issued by Environmental Quality Control (February 1, 2006 through March 31, 2006) (Attachment 4-1)

Mr. Bob King, Deputy Commissioner, Environmental Quality Control, stated fifty-three (53) orders had been issued with penalties of \$378,082.

The Board accepted this item as information.

Item 5: Orders issued by Office of Ocean and Coastal Resource Management (February 1, 2006 through March 31, 2006) (Attachment 5-1)

Ms. Barbara Neale, Office of Ocean and Coastal Resource Management, stated seven (7) orders had been issued with penalties of \$8,300.

After discussion, *the Board accepted this item as information.*

Item 6: John E. Taylor, Respondent, vs. South Carolina Department of Health and Environmental Control and Marion County, Petitioners, Docket No. 04-ALJ-07-0290-CC (Attachment 6-1)

Mr. Carl Roberts, Legal Counsel, introduced the case to the Board. Mr. William Byrd and Mr. Pierce Campbell represented John E. Taylor. Ms. Mary Shahid represented Marion County and Ms. Etta Williams represented the Department.

Ms. Williams stated that all parties had reached a settlement agreement and asked the Board to accept the consent agreement as outlined by Mr. Byrd. Ms. Shahid stated that Marion County supported the consent agreement and wished to withdraw their appeal. Mr. Byrd stated the terms of the consent agreement.

Mr. Cooper moved, seconded by Mr. Kisner to accept the Consent Agreement as outlined by all parties, including affirming the Decision of the Administrative Law Judge with the exception of Conclusion of Law No. 7. Approved.

A verbatim transcript of these proceedings is included as part of the permanent record. (Attachment 6-2)

Item 7: MRI at Belfair, LLC, Petitioner, vs. South Carolina Department of Health and Environmental Control and Coastal Carolina Medical Center, Respondents, Docket No. 04-ALJ-07-0399-CC (Attachment 7-1)

Mr. Roberts introduced the case to the Board. Ms. Elizabeth Crum represented MRI at Belfair. Coastal Carolina Medical Center was represented by Mr. David Summer. Ms. Ashley Biggers represented the Department.

Mr. Kisner moved, seconded by Dr. Buckhouse, to affirm the decision of the Administrative Law Court and grant the Certificate of Need to Coastal Carolina Medical Center. Approved

A verbatim transcript of these proceedings is included as part of the permanent record. (Attachment 7-2)

Item 8: Agency Affairs

Commissioner Hunter provided the Board with a copy of the Health People Living in Healthy Communities 2006 Report. (Attachment 8-1) He also provided the Board with a report on all legislative activity involving the agency. (Attachment 8-2) Commissioner Hunter also reported the following:

1. Status of tattoo facilities since legislation became effective making them legal in S.C.;
2. Pandemic Flu planning;
3. Hurricane Preparedness;
4. National Nurses Week;
5. Shellfish Regulations;
6. Bridges to Coastal Islands Regulations;
7. Immunization Registry;
8. Emergency Health Powers Regulation;
9. Expedited Permitting legislation.

He also made the following personnel announcement: Mr. David Wilson had been selected as Bureau Chief for the Bureau of Water, replacing Mr. Alton Boozer; and David Baize and Rheta Geddings had been selected as Assistant Bureau Chiefs, replacing Ms. Sally Knowles and Mr. Joe Rucker. Mr. Boozer, Mr. Rucker and Ms. Knowles will be retiring in the coming months.

The Board accepted this item as information.

Item 9: Legal Report

Mr. Carl Roberts updated the Board on legal matters.

Mr. Cooper moved, seconded by Mr. Kisner, to adjourn. Approved.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,

Steven G. Kisner
Secretary of the Board

Minutes approved this 8th day of June 2006.

ATTEST:

Elizabeth M. Hagood
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1-1 March 9, 2006, Board Meeting minutes
- 2-1 Monthly Award for Excellence for March and April 2006
- 3-1 Administrative Orders, Consent Orders and Sanctions Letters Report – Health Regulation
- 4-1 Administrative and Consent Orders Report - EQC
- 5-1 Orders issued by Office of Ocean and Coastal Resource Management
- 6-1 Contested Case – John E. Taylor vs. SCDHEC and Marion County
- 6-2 Verbatim Transcript
- 8-1 Contested Case – MRI at Belfair vs. SCDHEC and Coastal Carolina Medical Center
- 8-2 Verbatim Transcript
- 9-1 Health People Living in Healthy Communities 2006 Report
- 9-2 Legislative Update